

106TH CONGRESS  
1ST SESSION

# H. R. 2353

To direct the President to withhold extension of the WTO Agreement to any country that is not complying with its obligations under the New York Convention, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 1999

Mr. McCOLLUM (for himself and Mr. SHAW) introduced the following bill;  
which was referred to the Committee on Ways and Means

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## A BILL

To direct the President to withhold extension of the WTO Agreement to any country that is not complying with its obligations under the New York Convention, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “New York Convention  
5       Compliance Act”.

6       **SEC. 2. ACCESSION OF CERTAIN COUNTRIES TO THE WTO.**

7       Section 1106 of the Omnibus Trade and Competitive-  
8       ness Act of 1988 (19 U.S.C. 2905) is amended—

1           (1) by redesignating subsection (e) as sub-  
2           section (f),

3           (2) by inserting after subsection (d) the fol-  
4           lowing new subsection:

5           “(e) ADDITIONAL REQUIREMENTS RELATING TO OB-  
6           LIGATIONS UNDER THE NEW YORK CONVENTION.—

7           “(1) IN GENERAL.—In addition to the require-  
8           ments described in subsection (a), before any coun-  
9           try that is a party to the New York Convention ac-  
10          cedes to the WTO Agreement, the President shall  
11          determine whether the country is fulfilling its obliga-  
12          tions under the New York Convention.

13          “(2) EFFECTS OF NEGATIVE DETERMINA-  
14          TION.—If the President determines that a country is  
15          not fulfilling its obligations under the New York  
16          Convention—

17                 “(A) the President shall reserve the right  
18                 of the United States to withhold extension of  
19                 the application of the WTO Agreement between  
20                 the United States and the country, and

21                 “(B) the WTO Agreement shall not apply  
22                 between the United States and the country  
23                 until—

24                         “(i) the President certifies to the Con-  
25                         gress that the country is fulfilling its obli-

gations under the New York Convention,  
or

“(ii) a bill submitted under subsection  
(c) which approves the extension of the ap-  
plication of the WTO Agreement between  
the United States and the country is en-  
acted into law.

“(3) NEW YORK CONVENTION.—For purposes  
of this subsection, the term ‘New York Convention’  
means the Convention on Recognition and Enforce-  
ment of Foreign Arbitral Awards, done at New  
York, June 10, 1958.”,

(3) in subsection (d), by striking “subsection  
(a)” and inserting “subsections (a) and (e)”, and

(4) by amending the heading for such section to  
read as follows: “**ACCESSION OF STATE TRADING  
REGIMES AND CERTAIN OTHER COUNTRIES TO  
THE GENERAL AGREEMENT ON TARIFFS AND  
TRADE OR THE WTO.**”.

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